

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as FIRST CLASS MAIL in an envelope addressed to: BOX MISSING PARTS, Commissioner for Patents, Washington, D.C. 20231, on August 23, 2001.

  
Cathy Pittman

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Walter Winkler

Serial No: 09/810,374

Group Art Unit: 3723

Filed: March 15, 2001

Examiner: Unknown

Title: PICKING APPARATUS

\* \*

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Box MISSING PARTS

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

In response to the "Notice to File Missing Parts" mailed by the United States Patent and Trademark Office on April 25, 2001. The following documents are enclosed to complete the filing of the above-referenced patent application:

1. Transmittal Form (1 pg.);
2. Response to Notice to File Missing Parts (2 pgs.)
3. Copy of Notice to File Missing Parts (1 pg.);
4. Petition for Two (2) Month Extension of Time (1 pg.);
5. Executed Declaration and Power of Attorney (3 pgs.);
6. Recordation Cover Sheet (1 pg.);
7. Executed Assignment (2 pgs.)
8. Fee Transmittal (1 pg.);
9. Check #487208 in the amount of \$300.00;
10. Return Postcard.

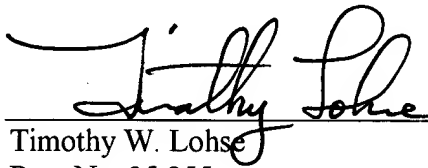


The Commissioner is also authorized to charge any deficiencies in fees and credit any overpayment of fees to Deposit Account No. 07-1896.

Respectfully submitted,

**GRAY CARY WARE & FREIDENRICH LLP**

Dated: August 23, 2001

By   
Timothy W. Lohse  
Reg. No. 35,255  
Attorney for Assignee

**GRAY CARY WARE & FREIDENRICH LLP**  
1755 Embarcadero Road  
Palo Alto, CA 94303  
(650) 320-7426



Please type a plus sign (+) inside this box



PTO/SB21 (6-98)  
Approved for use through 09/30/2000. OMB 0651-0031  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/810,374
	Filing Date	March 15, 2001
	First Named Inventor	Walter Winkler
	Group Art Unit	3723
	Examiner Name	Unknown
Total Number of Pages in This Submission	Attorney Docket Number	1020843-991180

<input checked="" type="checkbox"/> Fee Transmittal Form	<input checked="" type="checkbox"/> Assignment Papers <i>(for an Application)</i>	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment with Appendix A attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i>
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input checked="" type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Associate Power of Attorney,	<input type="checkbox"/> Additional Enclosure(s) <i>(please identify below):</i>
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Copy of Miss'g Parts Not(1 pg.); Recordation cover sheet (1 pg.)
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Small Entity Statement	Fee Transmittal (1 pg.); Check # <u>18700</u> for \$300.00; Return postcard;
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund	
<input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

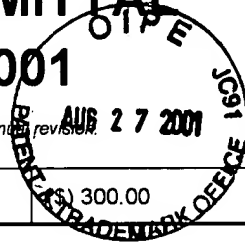
SIGNATURE OF APPLICANT, ATTORNEY OR AGENT	
Firm or Individual name	Timothy W. Lohse (Reg. No. 35,255) Gray Cary Ware Freidenrich
Signature	
Date	August 23, 2001

CERTIFICATE OF MAILING Recordation cover sheet (1 pg.)			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date			
Typed or printed name	Cathy Pittman	Date	August 23, 2001
Signature			

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL  
for FY 2001**

Patent fees are subject to annual revision.

**TOTAL AMOUNT OF PAYMENT**

(\$) 300.00

**Complete if Known**

Application Number	09/810,374
Filing Date	March 15, 2001
First Named Inventor	Walter Winkler
Examiner Name	Unknown
Group Art Unit	3723
Attorney Docket No.	1020843-991180

**METHOD OF PAYMENT**

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit  
Account  
Number

07-1896

Deposit  
Account  
Name

- ☒ Charge Any additional Fee Required  
Under 37 CFR 1.16 and 1.17

- ☒ Applicant claims small entity status.  
See 37 CFR 1.27

2. ☒ **Payment Enclosed:**

- ☒ Check ☐ Credit card ☐ Money  
Order ☐ Other

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	710	201	355	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

**SUBTOTAL (1)** (\$) 0.00**2. EXTRA CLAIM FEES**

Total Claims		Extra Claims		Fee from below		Fee Paid
	68	-20** =	48	X	9	=
Independent Claims	5	-3** =	2	X	40	=
Multiple Dependent				X	0	= 0

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
103	18	203	9	Claims in excess of 20	
102	80	202	40	Independent claims in excess of 3	
104	270	204	135	Multiple dependent claim, if not paid	
109	80	209	40	** Reissue independent claims over original patent	
				** Reissue claims in excess of 20 and over original patent	
110	18	210	9		

**SUBTOTAL (2)** (\$) 0.00

\*\*or number previously paid, if greater, For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	65.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	195.00
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	11	0240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unavoidable	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclosure Strms	
581	40	581	40	Recording each patent assignment per property (times number of properties)	40.00
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\* Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$) 300.00**SUBMITTED BY**

Complete (if applicable)

Name (Print/Type)

Timothy W. Johnse

Registration No.  
(Attorney/Agent)

35,255

Telephone

650-320-7426

Signature

Date

August 23, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, D.C. 20231. DO NOT SENT FEES OR COMPLETED FORM TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/810,374	03/15/2001	Walter Winkler	1020843-991180

CONFIRMATION NO. 8757

## FORMALITIES LETTER



\*OC000000006003851\*

Gray Cary Ware & Freidenrich LLP  
3340 Hillview Avenue  
Palo Alto, CA 94304

Date Mailed: 04/25/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice MUST be returned with the reply.*

*Kevin*  
\_\_\_\_\_  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

08/29/2001 AWONDAF1 00000041 09810374

01 FC:205

65.00 OP